

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:

MOSDOS CHOFETZ CHAIM, INC.

Post-Confirmation Debtor
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MOSDOS CHOFETZ CHAIM INC., RABBI MAYER ZAKS,
derivatively on behalf of MOSDOS CHOFETZ CHAIM INC.,
SIMA WEINTRAUB, derivatively on behalf of MOSDOS
CHOFETZ CHAIM INC., DANIEL ROSENBLUM,
derivatively on behalf of MOSDOS CHOFETZ CHAIM INC.,
JOSEPH GRUNWALD, derivatively on behalf of MOSDOS
CHOFETZ CHAIM INC. and YISROEL HOCHMAN,
derivatively on behalf of MOSDOS CHOFETZ CHAIM INC.,

Plaintiffs,

-against-

MOSDOS CHOFETZ CHAIM INC., CHOFETZ CHAIM INC.,
TBG RADIN LLC, SHEM OLAM LLC, CONGREGATION
RADIN DEVELOPMENT INC., ARYEH ZAKS, BEATRICE
WALDMAN ZAKS, HENOCH ZAKS, MENDEL ZAKS,
GITTEL ZAKS LAYOSH, SAMUEL MARKOWITZ
and STERLING NATIONAL BANK,

Defendants.
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: Chapter 11

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: Case No. 12-23616-rdd

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: Adv. Pro. No. 20-08949-rdd

**ORDER AUTHORIZING OTTERBOURG P.C. TO WITHDRAW AS COUNSEL TO
RABBI MAYER ZAKS PURSUANT TO LOCAL RULE 2090-1(E)**

Upon the motion, dated December 17, 2020 (the “Motion”) of Otterbourg P.C. (“Otterbourg”) seeking leave pursuant to Local Bankruptcy Rule 2090-1 to withdraw as counsel to Rabbi Mayer Zaks; and the Court having jurisdiction to decide the Motion and the relief requested therein in accordance with 28 U.S.C. §§ 157(a)-(b) and 1334(b) and the Amended Standing Order of Reference M-431, dated January 31, 2012; and consideration of the Motion and the Relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice

of the relief requested in the Motion having been provided, and no additional notice either of this Motion or of this Order being required; and upon the Declaration of Melanie L. Cyganowski, filed contemporaneously with the Motion; and upon the record of the hearings held by the Court on the Motion on January 7, 2021 and January 21, 2021; and, after due deliberation and for the reasons stated by the Court on the record at the foregoing hearings, the Court having determined that the legal and factual bases set forth in the Motion establish good and sufficient cause for the relief granted herein; now, therefore,

IT IS HEREBY ORDERED THAT:

1. The Motion is granted as set forth herein.
2. Otterbourg is granted leave to withdraw as counsel pursuant to Local Bankruptcy Rule 2090-1, and shall no longer serve as counsel to, Rabbi Mayer Zaks, or, to the extent applicable, any other party in the above-captioned case or adversary proceeding, effective as of the close of business on January 21, 2021.
3. Otterbourg is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order.
4. Notwithstanding any provision in the Bankruptcy Rules to the contrary, this Order shall be effective and enforceable immediately upon its entry.
5. The Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, and/or enforcement of this Order.

Dated: January 22, 2021
White Plains, New York

/s/Robert D. Drain

THE HONORABLE ROBERT D. DRAIN
UNITED STATES BANKRUPTCY JUDGE